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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

AARON MICHAEL SHAMO,
DREW WILSON CRANDALL,
ALEXANDRYA MARIE TONGE,
KATHERINE LAUREN ANNE BUSTIN,
MARIO ANTHONY NOBLE, and
SEAN MICHAEL GYGI,

Defendants.

Case No. 2:16-cr-00631-DAK

MEMORANDUM CLARIFYING THE
UNITED STATES' POSITION
REGARDING THE DEFENDANT'S
MOTION TO EXTEND THE
MOTIONS DEADLINE (DOC. 192)

Judge Dale A. Kimball

The United States, by and through Michael Gadd, Special Assistant United States Attorney, hereby seeks to provide clarification on two points raised in Doc. 192, Mr. Shamo's motion to extend the deadline to file additional motions.

First, of the roughly 67 devices for which the United States has forensic data, Mr. Shamo's counsel have had access to all but two of them since December 2017—more than sixteen months ago (see Doc. 89, at 4). In December 2018, Mr. Shamo's counsel chose to acquire their own copy of the data from the United States and to have an expert review it.

Second, the United States stipulated to extending the motion deadline four weeks from today—meaning the defense’s motions (limited to dark web and computer forensic evidence) would be due on May 21, 2019. That deadline would allow the United States one week to respond or otherwise prepare prior to the pre-admission hearing scheduled for May 29-31, 2019. As written, the defense’s proposed order would extend their deadline until May 31st, the final day of the pre-admission hearing.

The United States would like to accommodate the defense to the extent possible. It simply asks for a week to respond and prepare for the defense’s motion(s) to exclude dark web and computer forensic evidence prior to the evidentiary hearing.

The United States has attached as Attachment A an email between counsel reflecting its understanding of the stipulation. An alternative proposed order has also been attached that reflects a due date of May 21, 2019.

Respectfully submitted this 23rd day of April, 2019.

JOHN W. HUBER
United States Attorney

/s/ Michael Gadd
MICHAEL GADD
Special Assistant United States Attorney